

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY DRIVER,

Petitioner,

v.

CALIFORNIA SUPREME COURT,

Respondent.

No. 2:22-cv-0550 AC P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis. This court will not rule on petitioner's request to proceed in forma pauperis.

Petitioner appears to challenge the execution of his sentence. As a general rule, "[t]he proper forum to challenge the execution of a sentence is the district where the prisoner is confined." Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Petitioner is currently housed at Kern Valley State Prison in Kern County. Kern County is part of the Fresno Division of the United States District Court for the Eastern District of California. L.R. 120(d).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court's own motion, be transferred to the proper division of the court. Therefore, this action will be transferred to the Fresno Division of the court. This court will not rule on petitioner's request to proceed in forma pauperis.

Good cause appearing, IT IS HEREBY ORDERED that:

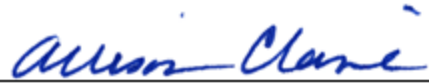
1. This court has not ruled on petitioner's request to proceed in forma pauperis;

2. This action is transferred to the United States District Court for the Eastern District of California sitting in Fresno; and

3. All future filings shall reference the new Fresno case number assigned and shall be filed at:

United States District Court
Eastern District of California
2500 Tulare Street
Fresno, CA 93721

DATED: March 29, 2022


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE